

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES EDWARD NALLS,

Plaintiff,

13cv0031

ELECTRONICALLY FILED

v.

COMMONWEALTH OF PENNSYLVANIA,
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,

Defendants.

**ORDER OF COURT ADOPTING REPORT AND RECOMMENDATION (DOC. NO. 17);
DENYING WRIT OF HABEAS CORPUS (DOC. NO. 4); AND DECLINING TO ISSUE A
CERTIFICATE OF APPEALABILITY**

Pro Se Petitioner has filed a Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody which is currently pending before this Court. Doc. No. 4. On February 12, 2014, United States Magistrate Judge Cynthia Reed Eddy filed a Report and Recommendation in which she recommended that the Petition be denied. Doc. No. 17. Objections to Judge Eddy's Report and Recommendation were due to be filed on or before March 3, 2014. Doc. No. 17, 29. To this date no objections have been filed.

After review of the pending Petition for Writ of Habeas Corpus, the applicable records, and Judge Eddy's Report and Recommendation, the following Order is entered:

AND NOW, this 6th day of March, 2014, IT IS HEREBY ORDERED THAT:

1. Judge Eddy's Report and Recommendation (Doc. No. 17) is **ADOPTED AS THE
OPINION OF THIS COURT;**
2. Petitioner's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. No. 4) is **DENIED;**

3. A Certificate of Appealability will not issue; and
4. The Clerk of Court shall mark this **CASE CLOSED**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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